

23.11.2022

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sdas
rejected

C.R.M. (DB) No. 4082 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dholahat Police Station Case No. 56 of 2019 dated 01.03.2019 under Sections 363/365 of the Indian Penal Code adding Section 366 of the Indian Penal Code and Section 4 of the POCSO Act.

And

In Re : Sukanta Mondal petitioner

Mr. Ayan Basu

Mr. Sandip Kumar Mondal

Mr. Sumit Routh

... for the petitioner

Mr. Saibal Bapuli, learned APP

Mr. Bibaswan Bhattacharya

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for more than three years. It is also submitted that there is delay in trial.

Learned Counsel appearing for the State opposes the prayer for bail and submits date has been fixed for recording evidence.

We have considered the materials on record. Though, there is some delay in the trial, vulnerable witnesses are yet to be examined. There is possibility of witnesses being won over if the petitioner is released on bail.

Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Petitioner may be renewed his prayer for bail after the vulnerable witnesses are examined, if so advised.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)